

Remarks/Arguments

Claims 1-14 are pending. Claims 1-8, 9 and 12 are amended. Reexamination and reconsideration of the application, as amended, are respectfully requested.

Applicant believes the foregoing amendments comply with requirements of form and thus may be admitted under 37 CFR 1.116(b). Alternatively, if these amendments are deemed to touch the merits, admission is requested under 37 CFR 1.116(c). In this connection, these amendments were not earlier presented because they are in response to the matters pointed out for the first time in the final Office Action.

Lastly, admission is requested under 37 CFR 1.116(b) as presenting rejected claims in better form for consideration on appeal.

Allowable Subject Matter

On page 10 of the Action, claims 2, 3, 6 and 7 are objected to as depending from rejected claims, but indicated as allowable if rewritten in independent form. Previously presented claims 9-14 are allowed. Applicant thanks the Examiner for recognizing the allowable subject matter of claims 2, 3, 6, 7 and 9-14.

Allowed claims 9 and 12 are amended to remove the term "with base stations" from the preambles of both claims. This terminology is not believed to be relevant to the indicated allowability of these claims. Thus, applicant submits that amended claims 9 and 12, and claims 10, 11, 13 and 14 depending therefrom, are still in condition for allowance.

Claim Rejections – 35 USC 103(a)

Claims 1 and 5 are rejected under 35 USC 103(a) as obvious over Moles (US 6,961,583) in view of Kanerva (US 6,493,554). Claims 4 and 8 are rejected as obvious over Moles in view of Kanerva and Soderbacka (US 2003/0114158). In response, applicant respectfully traverses the rejections.

The present invention is directed to a wireless communication terminal and a handoff determination in connection with a hybrid-type wireless communication

terminals which performs communication with switching between two communication systems. Amended independent claim 1 is recited below:

“A wireless communication terminal, which performs wireless communication using each of a first communication system and a second communication system and enables to be in an idle state with both systems, comprising:

a measurement section that measures quality of a signal transmitted from the base station;

a handoff determination section that determines handoff in an idle state with the second communication system based on quality of signals transmitted from a connected base station and another base station; and

a control section that changes a criterion of the determination of the handoff in the idle state with the second communication system in accordance with a state of the first communication system.”

The applied references do not disclose or suggest the above features of the present invention as defined by claim 1. In particular, Moles and Kanerva do not disclose or suggest, “a control section that changes a criterion of the determination of the handoff in the idle state with the second communication system in accordance with a state of the first communication system,” as required by claim 1.

Moles is directed to a multi-mode mobile station that independently determines the radio signal quality of a serving mobile system by evaluating the error rate associated with the received forward-link-channel messages. In response to a determination that the calculated error rate is greater than an acceptable threshold level, the mobile station then attempts to access an alternative service system capable of providing better and more reliable service (*Moles, Abstract*).

The Office Action notes that Moles does not disclose or suggest, “changes a criterion of the determination of the handoff in the idle state with the second communication system in accordance with a state of the first communication

system,” as required by claim 1 (*Office Action; Page 6, lines 6-7*). However, the Action asserts that Kanerva remedies the deficiencies of Moles.

Applicant disagrees. Kanerva is directed to a single-mode moving mobile communication device. When the mobile device is moving between two base stations in the same system, the device may change the handover criterion between the two base stations within the same communications system, depending on the measured signal level and/or quality of base station (*Kanerva, Abstract*).

Moreover, Kanerva is silent regarding switching between two different communication systems.

Applicant respectfully submits that Moles and Kanerva cannot be properly combined to obtain the features of claim 1. The present invention and Moles are directed to switching in between different systems in a multi-mode communications system. In contrast, Kanerva is directed to switching within the same single-mode communication system. Applicant respectfully submits that switching between different systems requires different structures from those structures required for switching within the same system. Applicant thus respectfully submits that that Kanerva does not have an analogous structure as required by amended independent claim 1.

Moreover, Kanerva does not solve the same problem as the present invention. The present invention aims to, *inter alia*, improve the problem of idle handoff when switching between two different communication systems. The mobile device does not have to be moving (*specification, page 2, line 7-page 3, line 20*). In contrast, Kanerva is targeted at improving the handoff from one base station to the next, wherein the base stations use the same communication system, when the mobile device is moving from the range of one base station into the range of next base station (*Kanerva, Figs. 2 and 4a*).

In light of the foregoing, Applicant respectfully submits that Kanerva being of non-analogous structure, and directed at solving a different problem, cannot be properly combined with Moles to obtain the features recited in claim 1.

Soderbacka does not remedy the deficiencies of Moles and Kanerva. Accordingly, claim 1 is believed to be in condition for allowance. Claims 2-4, which depend from claim 1, are similarly allowable.

Amended independent claim 5 is allowable for at least the same reasons as discussed in connection with claim 1. Claims 6-8, which depend from claim 5, are similarly allowable.

Conclusion

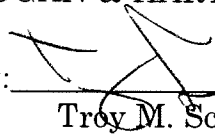
In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 785-4600 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

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By: 

Troy M. Schmelzer
Registration No. 36,667
Attorney for Applicant(s)

1999 Avenue of the Stars, Suite 1400
Los Angeles, California 90067
Phone: 310-785-4600
Fax: 310-785-4601